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DEPT OF TRANSPORTATION

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February 28, 2001

Federal Aviation Administration
Office of Chief Counsel
ATTN: Rules Docket (AGC-10)
800 Independence Avenue, S.W.
Washington, D.C. 20591

JAA-2001-9105-1

Dear Sir,

In accordance with 14 CFR 11.25, Ameristar Jet Charter, Inc. hereby petitions the Federal Aviation Administration for an exemption to 14 CFR 135.43 (c) (2) requires that after January 1, 1992 any transponder not meeting the requirements of TSO-C112 (Mode S) may not be newly installed on any aircraft operating under the provisions of Part 135.

Due to difficulties in manufacturing Mode S transponders, the FAA amended the installation and manufacturing cutoff dates to July 1, 1992 and July 1, 1991, respectively (Amendment No. 91-210;54 FR 25681, June 16, 1989). On January 4, 1991, the FAA removed the manufacturing cutoff date associated with the Mode S transponder requirement in response to inventory shortfalls reported by transponder manufacturers (Amendment No. 91-221;56 FR 467). The installation cutoff date for operations conducted under FAR Part 135 was not removed. However, on May 29, 1992, the FAA did rescind the Mode S installation requirements for operations conducted under FAR Part 91.

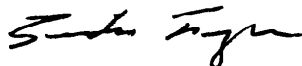
This petition is in the best interest of the public from both a safety and an economic perspective. An integral part of the Mode S rule is the ground sensor. These sensors, when combined with Mode S transponders, better enable Air Traffic Control to track aircraft position thereby reducing the likelihood of a mid-air collision. However, the ground sensors which were supposed to be available by late 1995 or early 1996 are still not completed. Without the ground sensors, Mode S transponders provide no more benefits than advanced solid state Mode A transponders. Thus, there would not be an unacceptable reduction in aviation safety as a result of the proposed exemption.

The proposed rule would generate benefits in the form of cost relief not only to us as a Part 135 Operator, who would be required to install Mode S transponders, but also our customers, the flying public. The average cost of a Mode S transponder is \$3500 compared to \$1500 for a Mode C transponder. The additional expense would, of course, be passed on to the flying public.

Ameristar Jet Charter, Inc. further requests that this petition not be delayed by publication in the Federal Register. To delay this petition for publication in the Federal Register would place significant hardship on us as a 135 operator.

In view of the fact safety would not be impacted, but economic aircraft operations will, Ameristar Jet Charter, Inc. encourages you to expeditiously grant this petition for exemption. As we are a Fleet Operator, we request this exemption be added to our Operations Specifications as a Fleet exemption to cover current and future aircraft we wish to operate with any TSO-C74b or TSO-C74c transponder. If you have any additional comments or questions concerning this petition, you may contact me at (972)248-2478.

Sincerely yours,



Lindon Frazer
Director of Maintenance

Ameristar Jet Charter, Inc.

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FAXTo: CYNTHIA HATTEN From: LINDON FRAZERFax: 202-493-2251 Pages: 2Phone: _____ Date: 3/7/01

Subj: _____ CC: _____

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